



## *Italian Workshop: Open Access in Scholarship Communication in Italy 21st Sept., 2007*

### *Rights management policies in the Open Access environment*



*Antonella De Robbio*

**Sistema Bibliotecario di Ateneo**

*antonella.derobbio@unipd.it*


# Contents

---

- ❑ From Messina Declaration to Berlin5 Conference
- ❑ The Roadmap towards Open Access
- ❑ From good intentions to good practices
- ❑ **Copyright acquires a pivotal role in the economy of Universities**
- ❑ Good policies for a proper rights management
- ❑ Three actions:
  - Government side (new laws for research)
  - European actions inside ERA European Space for Research
  - Institutional actions: rights management policies and resolution by Faculty Senates

# Rights Management Policies

---

- Since the aim of Open Access is removing any economical, technical and legal barrier to the access to peer-reviewed published output of research, the creation and implementation of Rights Management Policies in higher education is a strategic issue for an effective and real Open Access endorsement.
- Berlin Declaration  Messina Declaration



MAX-PLANCK-GESELLSCHAFT

**Program**  
OA Conference  
Program  
Committee  
ECHO Meeting

**Berlin Declaration**  
Declaration  
Recommendation  
Roadmap  
Signatories  
Press Release &  
Statement

**Participants** List  
Snapshots

**Links**  
OA Resources  
Media Coverage

**Follow-Up Conferences**  
CERN  
May 2004  
SOUTHAMPTON  
Feb 2005  
Golm  
March 2006  
Padua  
September 2007

## Conference on

### Open Access to Knowledge in the Sciences and Humanities

20 - 22 Oct 2003, Berlin

#### Berlin Declaration

### Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities

#### Preface

The Internet has fundamentally changed the practical and economic realities of distributing scientific knowledge and cultural heritage. For the first time ever, the Internet now offers the chance to constitute a global and interactive representation of human knowledge, including cultural heritage and the guarantee of worldwide access.

We, the undersigned, feel obliged to address the challenges of the Internet as an emerging functional medium for distributing knowledge. Obviously, these developments will be able to significantly modify the nature of scientific publishing as well as the existing system of quality assurance.

In accordance with the spirit of the Declaration of the Budapest Open Access Initiative, the ECHO Charter and the Bethesda Statement on Open Access Publishing, we have drafted the Berlin Declaration to promote the Internet as a functional instrument for a global scientific knowledge base and human reflection and to specify measures which research policy makers, research institutions, funding agencies, libraries, archives and museums need to consider.

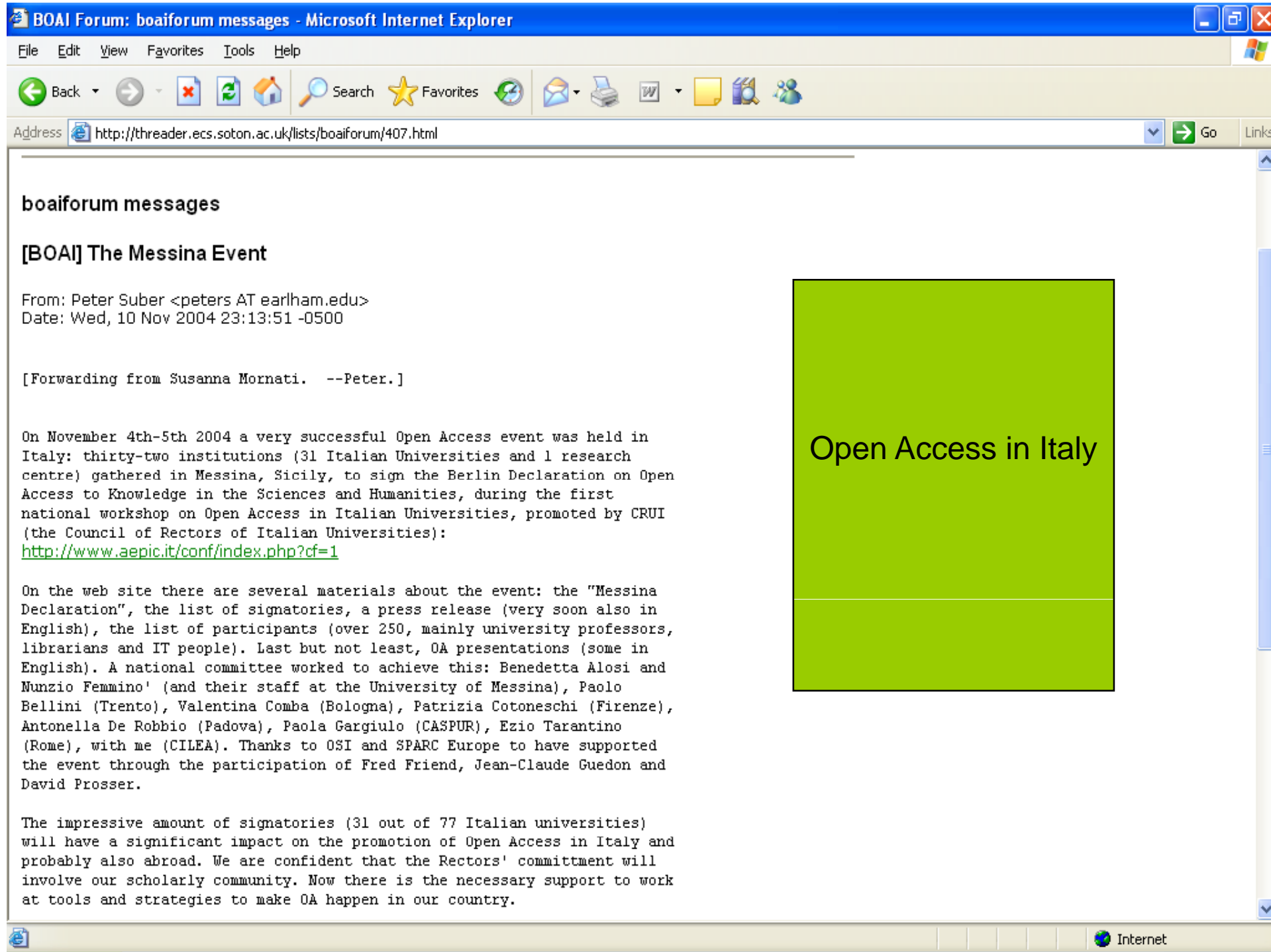
#### Goals

Our mission of disseminating knowledge is only half complete if the information is not made widely and readily available to society. New possibilities of knowledge dissemination not only through the classical form but also and increasingly through the open access paradigm via the Internet have to be supported. We define open access as a comprehensive source of human knowledge and cultural heritage that has been approved by the scientific community.

In order to realize the vision of a global and accessible representation of knowledge, the future Web has to be sustainable, interactive, and transparent. Content and software tools must be openly accessible and compatible.



Internet



# Why?

---

- ▣ Policies on Open Access should be an essential part of the mission of our Universities, because they are involved in any process from creation to dissemination of scholarly works; for this reason
- ▣ University policies should balance the interests of stakeholders - reserving rights or benefits for research uses or teaching activities and ensuring that the work it funds can be read and utilised by the widest possible audience.

# Different ways

---

- ❑ Managing copyright is a skill to be created. A variety of approach can exist even within the same country, according to laws or habits or institutions.
- ❑ Copyright laws are inadequate for dealing with the complex issues surrounding the management of intellectual works created at Universities.
- ❑ On the administrative side we have to work inside our University. We need different levels of policies which foresee agreements that seek to grant University and its authors the ability to use and manage the works in fulfilment of their most important interests.

# On Government side

---

- On Government side we need new legislations such as specific laws for the scholarship communication world. Nowadays the copyright is perceived as a very strong legal barrier for research and teaching, because copyright laws influence in a negative way the dissemination and the consequent impact of intellectual research output, with heavy cultural, social and economic relapses.



# The “Declaration of Messina”

---

- “The people attending [...] confirm their support to the “Berlin Declaration on **Open Access** to knowledge in the Science and Humanities”, supporting Open Access in scientific literature, hoping that this act can be the first important contribution from Italian Universities to a wider and quicker dissemination of scientific knowledge.”
- 75 to 77 Universities stated their support after the Messina Conference in November, 2004.

# Berlin Declaration: the RoadMap to Open Access

---

- ❑ 1. Where we start from
- ❑ 2. Where we aim to be
- ❑ 3. First steps along the road (already taken)
- ❑ 4. Raising awareness
- ❑ 5. Organizational policy
- ❑ 6. Creating a sustainable infrastructure
- ❑ 7. Establishing a legal framework
- ❑ 8. Supporting open access journals
- ❑ 9. Long-term organizational commitment
- ❑ 10. Removing the barriers on the way

[HOME](#)
[Contact](#)
[Location](#)
[Sponsors](#)
[Impressum](#)

MAX-PLANCK-GESELLSCHAFT

<b>Program</b>	Program/ Registration
<b>Berlin Declaration</b>	Declaration Recommendation Roadmap Signatories
<b>Follow-Up Conferences</b>	CERN May 2004  SOUTHAMPTON Feb 2005  Golm March 2006  Padua September 2007

## Berlin 5 Open Access From Practice to Impact: Consequences of Knowledge Dissemination

September 19 - 21, 2007, Padua, Italy

[Home](#)

### Berlin 5 Open Access

From Practice to Impact:  
Consequences of Knowledge Dissemination

The [University of Padua](#), the [CRUI](#) (Council of Rectors of Italian Universities) and the [Max Planck Gesellschaft](#) are pleased to announce that the fifth conference in the "Berlin Declaration" tradition will take place in September 19-21, 2007 in Padua, Italy, with the title "Berlin 5 Open Access: From Practice to Impact: Consequences of Knowledge Dissemination".

The aim of the conference will be to bring together the various initiatives and key players within the Open Access movement in order to:

- maintain the enthusiasm of all people involved in the Open Access field,
- have an overview of the developing tools that sustain Open Access in scientific data and cultural heritage dissemination,
- develop the effective strategies that can contribute to the construction and implementation of this new paradigm of the scholarly communication world.

**Date: September 19 - 21, 2007**

The conference will be hosted by the University of Padua.

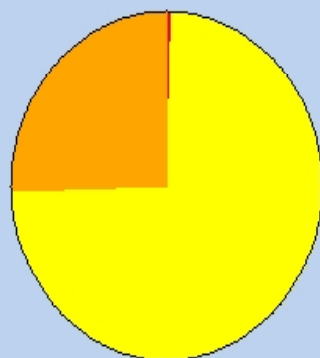
Further details about the conference will appear soon on this website.

[▲ Top](#)

last changed: 24.04. 2007

# From Practice to Impact: Consequences of Knowledge Dissemination. Which Impact?

Recorded Submission Policies  
Worldwide



Unknown (4 = 8%)  
Undefined (634 = 74%)  
Defined (218 = 25%)

Recorded Preservation Policies  
Worldwide



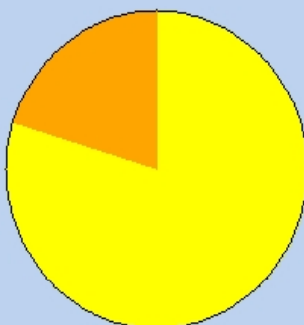
Unknown (6 = 1%)  
Unstated (715 = 84%)  
Undefined (30 = 4%)  
Defined (105 = 12%)

OpenDOAR 02-May-2007

Total = 856 repositories

Total = 856 repositories

Recorded Content Policies  
Worldwide



Unknown (2 = 0%)  
Undefined (682 = 80%)  
Defined (172 = 20%)

Recorded Metadata Re-use Policies  
Worldwide



Unknown (1 = 0%)  
Unstated (1 = 0%)  
Undefined (697 = 81%)  
Non-Profit (80 = 9%)  
Commercial (77 = 9%)

OpenDOAR 02-May-2007

Total = 856 repositories

Recorded [Full-text] Data Re-use Policies  
Worldwide



Unknown (1 = 0%)  
Unstated (1 = 0%)  
Undefined (667 = 78%)  
No Rights (3 = 0%)  
No Robots (95 = 11%)  
Unclear (1 = 0%)  
Variable (11 = 1%)  
Non-Profit (72 = 8%)  
[1 Others]

Total = 856 repositories

**Policies are a  
mirage!**



UNIVERSITÀ  
DEGLI STUDI  
DI PADOVA

- Submission
- Preservation
- Content
- Metadata re-use
- Data re-use

OpenDOAR 02-May-2007

# Proposal for rights management

---

- ❑ Because of current laws on copyright, the damage to scientific research is enormous, and furthermore it increases Digital Divide between info-rich and info-poor countries
- ❑ The proposal is a consistent and mindful rights management, that must involve:
  1. The managers of the institutions who produce research, in their role of managers of a public good, that is intangible but very powerful (intellectual resource)
  2. Scientists in their role of authors (promote awareness)
  3. Governments who failed to understand that, before protecting private enterprises, they must protect the common good (the laws on copyright must be changed to favour research)
  4. UE actions towards a really efficient Lisbon agenda in the processes and policies of innovation (the rules of the market of academic publishing must be changed)
  5. Mass Media: they should give thoughtful information for spreading awareness starting from the people



# Connection between research and academic publishing

---

- ❑ The wide and effective dissemination of research output via the academic publishing system, to the scientific community first, and then to society on a large scale, is considered an important tool to reach the goals of the Lisbon Agenda (definition of the process and the policies of innovation) by means of stimulating excellence and innovation in research.
- ❑ An effective and healthy system for academic publishing is the key to success of research.
- ❑ The chief mechanism that ensures quality is the process known as peer review
- ❑ **The junction between research and academic publishing is the copyright – the weak link in the chain**

# The Lisbon Strategy

---

- The Lisbon Strategy aims to deal with the low productivity and stagnation of economic growth in the EU, by means of drafting various policy projects to be undertaken by all EU member states. The broader objectives set out by the Lisbon strategy are to be attained by 2010.
- It was adopted for a ten-year period in 2000 in Lisbon, Portugal by the European Council. It broadly aims to "make Europe, by 2010, the most competitive and the most dynamic knowledge-based economy in the world".



http://ec.europa.eu/research/era/consultation-era\_en.html#greenpaper

Important legal notice

English (en)

Contact | Search

# RESEARCH

European Commission > Research > ERA

inventing our future together

## European Research Area

Home

Discuss with Commissioner Potočník

**Consultation on ERA**

Events Calendar

Newsroom

Publications

History of ERA

Useful Links

Contact

**What ERA for the Future? Have your say!**

**ERA: New Perspectives Green Paper**

**Progress with**

With the **Green Paper** on the European Research Area (ERA), the European Commission launches a broad institutional and public debate on what should be done to create a unified and attractive European Research Area, which would fulfil the needs and expectations of the scientific community, business and citizens.

The debate is open to everyone with an interest in the realisation of a European knowledge society. In particular, the Commission expects to receive responses from research institutions (including universities), researchers, industry, civil society organisations, national and regional public authorities as well as the general public. The Commission will use the results of the debate to prepare initiatives that will be proposed in 2008.

### How to participate in the debate?

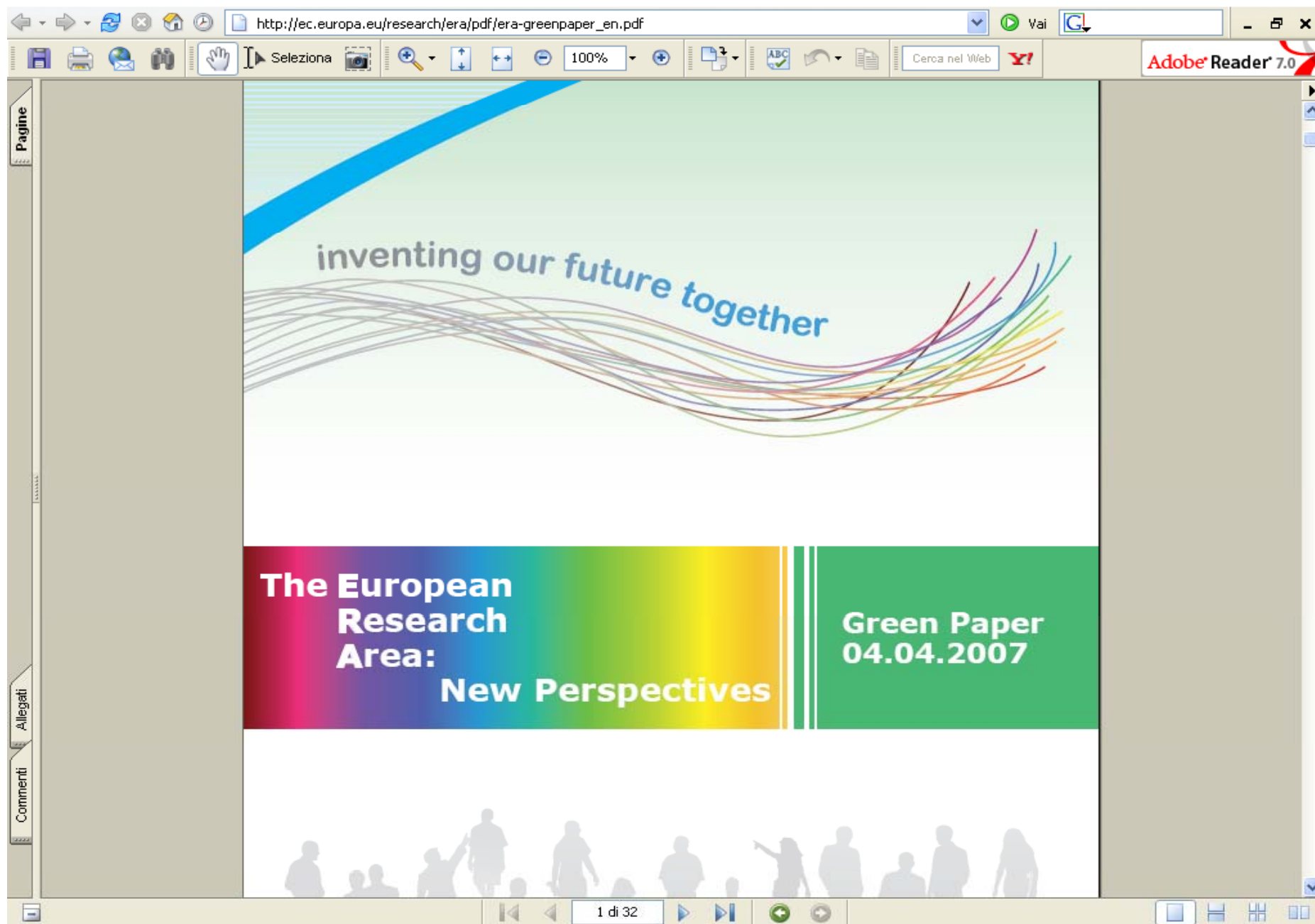
The best way to engage in the debate is to express your views in the **online consultation** linked to the Green Paper. We are interested in receiving your views on the overall priorities for ERA, as well as on six main dimensions on which the consultation is focused, namely:

- Realising a single labour market for researchers;
- Developing world-class research infrastructures;
- Strengthening research institutions;
- Sharing knowledge;
- Optimising research programmes and priorities; and
- Opening ERA to the world.

You are invited to comment on as many or as few of these dimensions as you wish depending on your areas of expertise and interest.

The online consultation will remain open for 4 months, from the **1st of May 2007 to the 31st of August 2007**. You can access the questionnaire [here](#).





http://ec.europa.eu/invest-in-research/policy/ipr\_en.htm

Legal notice | About EUROPA | Search | Contact



Investing in European Research

Towards 3% of GDP

English (en)

European Commission > Investing in European Research > Intellectual property and technology transfer

Home

European Action Plan

European Policy Initiatives

Human resources in S&T

Knowledge transfer and cooperation between public research/industry

Intellectual property and technology transfer

Tax incentives for research

State aid for research

>>> Public procurement

>>> Philanthropy for research

Better regulation

Intellectual capital reporting

European Funding Schemes

National and regional policies

Coordination of Policies

Monitoring and analyses

## Intellectual property and technology transfer

The protection of intellectual assets is essential to the competitiveness of most organisations, private or public, and to their attractiveness for investors.

Hence, there is a need to **properly balance intellectual property systems**, to ensure that they offer suitable incentives to invest in research and innovation, while at the same time ensuring that the diffusion and further development of research results are not stifled.

However, in the European research policy perspective, the proper management of knowledge (such as R&D results) and intellectual property also raises further issues.

On the one hand, there is scope to make European intellectual property systems more responsive to the rapid evolution of both research processes and emerging technological areas. This calls for a number of **R&D-related IPR questions** to be tackled (e.g. the research exemption). In addition, special emphasis needs to be placed on specific issues relevant for R&D collaborations and technology transfer between public research organisations and industry, as "**university-industry relations**" are an increasingly important way of enhancing the impact of scientific achievements on European competitiveness.

On the other hand, actions are needed to promote the optimal use of intellectual property rights systems in Europe, by suitable **awareness and training** actions, with a special emphasis on academic institutions and small businesses.

Accordingly, this website addresses the following topics:

- [European patent systems](#)
- [Specific R&D- related IPR issues](#)
- [Technology transfer and university-industry relations](#)
- [IPR awareness, training and assistance](#)
- [IPR and innovation issues relating to the EC Framework Programmes for research and technological development](#)
- [Useful links](#)

Study report - "Economic and technical evolution of the scientific publication markets in Europe (2006)"

There are currently several patenting systems in Europe: national patent systems and the European patent system.

The **European patent** system is not based on an EU legal instrument. Nevertheless, this very successful system, managed by the [European Patent Office](#), makes it possible to file a single patent application, which will be examined centrally and hopefully

# Study on the economic and technical evolution of the scientific publishing markets in Europe

- In June 2004, the European Commission began a study to examine the economic and technical evolution of scientific publishing in Europe.
- Originally the results were supposed to be made available in 2005
- The final report was released in January 2006 and made available to the public on March 31, 2006.
- The study was carried out by a consortium led by Mathias Dewatripont of the Université Libre de Bruxelles.
- The first recommendation is: "Ensuring public access to publicly-funded research shortly after publication."
- Action on a European level: "Establishing a European policy compelling published articles that arise from EC-funded research to be available after a given time in open access archives".
- Secondly, explore with Member States and with European research and academic associations whether and how such policies and open repositories could be implemented.

## Study on the economic and technical evolution of the scientific publication markets in Europe [The EU scientific publishing study]

Vandooren, Françoise (2005) Study on the economic and technical evolution of the scientific publication markets in Europe [The EU scientific publishing study]. Delivered at Berlin 3 Open Access : Progress in Implementing the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities, University of Southampton (UK). Presentation.

Full text available as:

PDF - Requires [Adobe Acrobat Reader](#) or other PDF viewer.

[View statistics for this eprint](#)

### Abstract

Dissemination and access to research results is a pillar in the development of the ERA. Current public debate reveals worries about the current conditions of access and dissemination of scientific publications. The study launched by EC DG Research seeks to identify measures at European level which could help improve the conditions governing access to and the exchange, dissemination and archiving of scientific publications. Its aim is to lead to positive actions, taking into account all actors/stakeholders.

<b>Keywords:</b>	European scientific publications, journals, IPR, Intellectual Property Rights, VAT, Value Added Tax, research evaluation, preservation of electronic publications, open access
<b>Subjects:</b>	J. Technical services in libraries, archives, museum. > JH. Digital preservation. E. Publishing and legal issues. B. Information use and sociology of information. > BG. Information dissemination and diffusion.
<b>ID Code:</b>	3545
<b>Deposited By:</b>	Italian Staff, E-LIS
<b>Deposited On:</b>	02 April 2005
<b>Alternative Locations:</b>	<a href="rtsp://shaka.ecs.soton.ac.uk:554/berlin3/07-FrancoiseVandooren.mp4">rtsp://shaka.ecs.soton.ac.uk:554/berlin3/07-FrancoiseVandooren.mp4</a> , <a href="http://www.eprints.org/berlin3/video/07-FrancoiseVandooren.mov">http://www.eprints.org/berlin3/video/07-FrancoiseVandooren.mov</a> , <a href="http://www.eprints.org/berlin3/ppts/07-FrancoiseVandooren.ppt">http://www.eprints.org/berlin3/ppts/07-FrancoiseVandooren.ppt</a>
<b>All fields:</b>	<a href="#">Show all fields</a>



SCIENCE @ DIRECT

Register or Login: user name Password: Go

Home Search Journals Books Abstract Databases My Profile Alerts

Help

Quick Search: within This Volume/Issue Go Search Tips

previous volume/issue volume/issue list next volume/issue

## Brain Research

Copyright © 2005 Elsevier B.V. All rights reserved



L'ampia ed efficiente disseminazione dei risultati della ricerca attraverso il sistema di editoria scientifica alla comunità scientifica prima e alla società su larga scala poi, è considerata uno strumento importante per raggiungere l'obiettivo della **Strategia di Lisbona** definizione del processo e delle politiche dell'innovazione attraverso la stimolazione dell'eccellenza e dell'innovazione nella ricerca.

Go

articles 1 - 25

### 1. Editorial Board • EDITORIAL

Page iii  
PDF (45 K)

### 2. Free colour illustrations in the

Page v  
PDF (44 K)

### 3. Change in policy for publishing

Page vi  
PDF (44 K)

Institutional price: **Order form**
**EUR 20,011 for European countries**
**JPY 2,657,000 for Japan**
**USD 22,386 for all countries except Europe and Japan**

### Audience

*Neuroscientists, neurophysiologists, neuroendocrinologists, neurochemists, neuroanatomists, neuropharmacologists, neurologists.*

## Petition for guaranteed public access to publicly-funded research results

### Petition

Home  
Sign the petition  
View signatories  
Privacy policy  
Statistics

### Sponsors

**DEff**

Deutsche  
Forschungsgemeinschaft  
**DFG**

**JISC**

**SPARC**  
Europe

**SURF**

WE SUPPORT  
**Taxpayer Access**  
TO PUBLICLY FUNDED RESEARCH

### Petition for guaranteed public access to publicly-funded research results

You may sign this petition to register your support for free and open access to European research and for the recommendations proposed in the EU's '[Study on the Economic and Technical Evolution of the Scientific Publication Markets of Europe](#)'.

Dear Commissioner,

**26.000 SIGNATORIES**

Our mission of disseminating knowledge is only half complete if the information is not made widely and readily available to society.  
*Berlin Declaration, October 2003*

In January 2006 the European Commission published the Study on the Economic and Technical Evolution of the Scientific Publication Markets of Europe. The Study resulted from a detailed analysis of the current scholarly journal publication market, together with extensive consultation with all the major stakeholders within the scholarly communication process (researchers, funders, publishers, librarians, research policymakers, etc.). The Study noted that 'dissemination and access to research results is a pillar in the development of the European Research Area' and it made a number of balanced and reasonable recommendations to improve the visibility and usefulness of European research outputs.

Now, a year after publication of the Study, we urge the EC to endorse the recommendations in full. In particular, we encourage you to adopt the first recommendation as a matter of urgency:

#### RECOMMENDATION A1. GUARANTEE PUBLIC ACCESS TO PUBLICLY-FUNDED RESEARCH RESULTS SHORTLY AFTER PUBLICATION

Research funding agencies have a central role in determining researchers' publishing practices. Following the lead of the NIH and other institutions, they should promote and support the archiving of publications in open repositories, after a (possibly domain-specific) time period to be discussed with publishers. This archiving could become a condition for funding.

The following actions could be taken at the European level: (i) Establish a European policy mandating published articles arising from EC-funded research to be available after a given time period in open access archives, and (ii) Explore with Member States and with European research and academic associations whether and how such policies and open repositories could be implemented.



# The current situation of copyright

---

- ❑ Legal limits to scientific dissemination: 90% of published articles is locked in private stronghold with paying access.
- ❑ Damage to public fundings when it comes to research, because of the drainage of public funds towards private oligopolies: crisis of the high cost of scientific journals
- ❑ Financial limit due to a distorted market: 11 publishers hold 75% of the journals market
- ❑ Knowledge control in the hands of a small number of private subjects: the mapping of worldwide research is a powerful and dangerous tool of metainformation
- ❑ The current model of research evaluation is no longer applicable in the digital world: publishing at the same time of evaluation was the standard procedure in the era of printed papers

# How to manage copyright

---

- By advising the authors on how to control copyright; it is not necessary to transfer it totally or in a proprietary way (it is urgent to maximize awareness on this issue)
- By creating policies on scientific copyright in Universities (managers of universities and research institutions)
- It is mostly a duty of Governments to grant laws to safeguard research as opposed to the market lobbies' interests (as it is happening now, because of current laws)
- With action on a European basis
- Managing scientific copyright allows to reform knowledge economics as well (a target of the Lisbon Strategy)



# At the end of August 2007

---

- ❑ the Scientific Council of the European Research Council published a document, "Relaunching the European Research Area", survey led on the prompt of the Commissioner Jan Potočník, I
- ❑ The document emphasized many important issues related to the access to knowledge
- ❑ The document includes a whole paragraph about the Open Access to Scientific Information, stating that "Open Access to publications and more generally processed data (information) is a concept already strongly supported by the scientific community".
- ❑ The ERC is on record with a recommendation that the outcome of research it supports be published in print or electronic publications, and be freely accessible as soon as possible, preferably no later than 6 months after the publication".
- ❑ The European Union is well aware of the importance of Open Access for the future of communication, and we hope it will contribute actively to developments in this area.

# In Italy there is still very much left to do

---

- ❑ Open Access, although subscribed in several petitions and statements, has not taken off yet.
- ❑ The necessary policies for a right start are lacking: no resolution has been undertaken in Academic Senates and archives are empty
  - Deputy Rectors for Research are not fully involved in the process; the systems for research evaluation are outside the OA procedures
  - Heads of Administration have not been enough involved
- ❑ Copyright is a heavy boulder, hindering free access to knowledge and forcing Universities to pay three times information that they themselves produce
- ❑ Because of rights transfer, universities that produce research are forced to purchase at sky-high prices, in a rigid market, what they themselves produced; and furthermore, to pay the copyright for re-using the information they produced!

# The copyright law must be changed!

---

- ❑ It must include a regulatory framework appositely for **scientific copyright**
- ❑ The current law on copyright that rules general publishing, music and showbusiness is not suitable for scientific communication
- ❑ The current law on copyright distorts the market, not only on a national basis, but on a European basis as well
- ❑ Therefore, Governments will have to promote European action supporting Open Access, and to act on a national basis at the same time.

# National action for scientific copyright

---

- ❑ Creating laws that are suitable for **scientific copyright**, protecting research as an untouchable public property, including:
  - **didactics** as a line for developing a future society based on respect and social fairness
  - Clear guidelines for institutional administrators for a **responsible management of copyright**, in the interest of the institution as opposed to that of private individuals
  - Methods to **raise awareness among authors** who receive public funding

# A Guide for authors (SPARC)

---

- ❑ If retaining copyright sounds a bit radical, you might still be interested in self-archiving
- ❑ (but bear in mind what the evidence shows; articles freely available online are more highly cited than those that are not)
- ❑ Then, here are a few options:
  - 1) Choose journals that ask only for a non-exclusive licence from you – leaving you free to do whatever you want with the article;
  - 2) Choose journals with self-archiving friendly licences – there is a list on the RoMEO Project pages
  - 3) If the journal you want to publish in doesn't fall into the above categories, you can always negotiate with your publisher...
  - 4) ...by either amending the existing licence, OR
  - 5) ...using an alternative licence to send back to the publisher. There are a few good examples around.

Author Rights: Using the SPARC Author Addendum to secure your rights as the author of a journal article

- The text below is also available in [PDF format](#),  
and the image is available as a [poster](#).  
[Ready to download the Addendum?](#)

Your article has been accepted for publication in a journal and, like your colleagues, you want it to have the widest possible distribution and impact in the scholarly community. In the past, this required print publication. Today you have other options, like online archiving, but the publication agreement you'll likely encounter will actually prevent broad distribution of your work.

You would never knowingly keep your research from a readership that could benefit from it, but signing a restrictive publication agreement limits your scholarly universe and lessens your impact as an author.

Why? According to the traditional publication agreement, all rights—including copyright—go to the journal. You probably want to include sections of your article in later works. You might want to give copies to your class or distribute it among colleagues. And you likely want to place it on your Web page or in an online repository if you had the choice. These are all ways to give your research wide exposure and fulfill your goals as a scholar, but they are inhibited by the traditional agreement. If you sign on the publisher's dotted line, is there any way to retain these critical rights?

Yes. The [SPARC Author Addendum](#) is a legal instrument that modifies the publisher's agreement and allows you to keep key rights to your articles. The Author Addendum is a free resource developed by SPARC in partnership with Creative Commons <http://www.creativecommons.org> and Science Commons <http://science.creativecommons.org>, established non-profit organizations that offer a range of copyright options for many different creative endeavors.

"The University of North Carolina at Chapel Hill encourages authors to use the SPARC Author Addendum as it fulfills a pressing need that all researchers and scholars have. The SPARC Author Addendum empowers researchers and authors to advocate for themselves in their relationship with their publisher, and has the potential to revolutionize the scholarly communication system."

# What should the Institution do?

- ❑ Write Policies and clear rules on copyright, in order to regulate, as to what concerns intellectual property,
  - the relation between University and teaching staff
  - the relation between University and students
- ❑ Look out for indiscriminate transfer of rights to third parties
- ❑ Write clear policies on deposit, that should be Mandatory instead of based on good will
- ❑ Promote awareness with authors
- ❑ But chiefly: understand how rights are allocated in the scientific communication chain

**Resolution by the Library Board for consideration by the Faculty Senate.  
Approved by the Library Board on 24Apr06.**

WHEREAS the Cornell Faculty Senate on 11 May 2005 passed a resolution on scholarly publishing, according to which "The Senate strongly urges all faculty to negotiate with the journals in which they publish either to retain copyright rights and transfer only the right of first print and electronic publication, or to retain at a minimum the right of postprint archiving"; and

WHEREAS the Scholarly Publishing and Academic Resources Coalition (SPARC)<sup>1</sup>, has made available a standard form that authors may attach to publishing agreements in order to secure a non-exclusive right to make their work available for non-commercial uses; and

WHEREAS the widespread use of such an addendum would educate publishers about the importance scholars attach to the ready availability of their scholarly work for educational purposes<sup>2</sup>,

**THEREFORE BE IT RESOLVED THAT**

The Senate urges faculty members to attach the SPARC Author's Addendum to publishing contracts that they sign unless they arrange to retain copyright itself and transfer only the right of first print and electronic publication.

**Discussion**

The resolution passed by the Faculty Senate on 11 May 2005 acknowledges the importance of faculty management of copyrights. Faculty create work, often give it to publishers, and then must license it back to use it. The Cornell University Library spends millions of dollars a year to rent access to scholarly material produced largely by faculty here and elsewhere; departments and individual faculty members license permission to use scholarly material on course web sites; and students pay to use the material through course pack permission fees.

The SPARC Author's Amendment is an easy and effective way of negotiating desired rights. It allows faculty authors to retain the following rights, which



# An institutional framework is required

---

- ❑ Italian universities should begin to draft policies on intellectual property and rights management in scientific communication and in works created inside the universities
- ❑ On the Zwolle website you can find university policies by several universities (USA, Canada, Dutch SURF proposal, UK; Australia, Africa ...)
- ❑ <http://www.surf.nl/copyright/keyissues/scholarlycommunication/policies.php>
- ❑ We should adapt policies to our regulatory framework, that is different from copyright

Richard J Roberts, Nobel Prize winner for Physiology or Medicine in 1993, UE petition signatory:

---

**"Open access to the published scientific literature is one of the most desirable goals of our current scientific enterprise.** Since most science is supported by taxpayers it is unreasonable that they should not have immediate and free access to the results of that research. Furthermore, **for the research community the literature is our lifeblood.** By impeding access through subscriptions and then fragmenting the literature among many different publishers, with no central source, we have allowed the commercial sector to impede progress. **It is high time that we rethought the model and made sure that everyone had equal and unimpeded access to the whole literature. How can we do cutting edge research if we don't know where the cutting edge is?"**



Antonella De Robbio  
Berlin5 Conference, Padua, 21st Sept. 2007